

**NOTICE OF INTENT TO AMEND RULES OF THE CORPORATIONS DIVISION OF  
THE OFFICE OF THE GEORGIA SECRETARY OF STATE, CHAPTER 590-7,  
COMMISSIONER OF CORPORATIONS, RULE 590-7-4-.06 ANNUAL REGISTRATION  
NOTIFICATIONS. AMENDED., AND RULE 590-7-13-.06 ANNUAL REGISTRATION  
NOTIFICATIONS. AMENDED. AND NOTICE OF PUBLIC HEARING.**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Assistant Corporation Commissioner of the Office of the Georgia Secretary of State, (hereinafter "Commissioner") proposes amendments to Commissioner of Corporations, Rule 590-7-4-.06 *Annual Registration Notifications. Amended.* and Rule 590-7-13-.06 *Annual Registration Notifications. Amended.* (hereinafter "proposed rule amendments").

This notice, together with exact copies of the proposed rule amendments and a synopsis of the proposed rule amendments, is being distributed to all persons who have requested, in writing, that they be placed on a distribution list. A copy of this notice, the exact copy of the proposed rule amendments and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Corporations Division, 2 Martin Luther King, Jr. Drive, S.E., 313 West Tower, Atlanta, Georgia 30334. These documents will also be available for review on the Corporation Division's web page at <http://www.sos.ga.gov/corporations/>. Copies may also be requested by contacting the Corporations Division at 404-656-2817.

A public hearing is scheduled to begin at 10:00 a.m. on January 2, 2013 at the Office of the Secretary of State, Corporations Division, 2 Martin Luther King, Jr. Drive, S.E., 313 West Tower, Atlanta, Georgia 30334 to provide the public an opportunity to comment upon and provide input into the proposed rule amendments. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received no later than 5:00 p.m. on December 26, 2012. Written comments should be addressed to Eric Lacefield, Assistant Corporation Commissioner, Corporations Division, 2 Martin Luther King, Jr. Drive, S.E., 313 West Tower, Atlanta, Georgia 30334. FAX: 404-657-6380.

The Assistant Corporation Commissioner will consider the adoption of the proposed rule amendments at a meeting scheduled to begin at 10:05 a.m. on January 2, 2013 at the office of the Corporations Division, 2 Martin Luther King, Jr. Drive, S.E., 313 West Tower, Atlanta, Georgia 30334. The Assistant Corporation Commissioner has the authority to adopt the proposed rule amendments pursuant to authority contained in O.C.G.A. §§ 14-2-130, 14-2-1622, 14-3-130, 14-3-1622, 14-9-206.5, 14-9-206.7, 14-9-1102, 14-9-1103 and 14-5-23.

On November 29, 2012, the Assistant Corporation Commissioner determined that the formulation and adoption of these amended rules does not impose excessive regulatory cost on any registrant and any cost to comply with the proposed rule amendments cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 14-2-130, 14-2-1622, 14-3-130, 14-3-1622, 14-9-206.5, 14-9-206.7, 14-9-1102, 14-9-1103 and 14-5-23.

On November 29, 2012, the Assistant Corporation Commissioner determined that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 14-2-130, 14-2-1622, 14-3-130, 14-3-1622, 14-9-206.5, 14-9-206.7, 14-9-1102, 14-9-1103 and 14-5-23 to adopt or implement differing actions for businesses as listed at O.C.G.A. §50-13-4(a)(3)(A),(B),(C) and (D). The formulation and adoption of these rules will impact every registrant in the same manner.

For further information, contact the Division office at 404-656-2817.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This 30<sup>th</sup> day of November, 2012.

A handwritten signature in blue ink, appearing to read "Eric Lacefield", is written over a horizontal line.

Eric Lacefield  
Assistant Corporation Commissioner

Posted: November 30, 2012

**SYNOPSIS OF THE PROPOSED RULE AMENDMENT TO THE COMMISSIONER OF  
CORPORATIONS, RULE 590-7-4-.06 ANNUAL REGISTRATION NOTIFICATIONS.  
AMENDED.**

Purpose: The purpose of the amendment is to allow a more efficient and economical means of sending annual registration notifications to active corporations on file with the Office of the Secretary of State.

Main Features: The amendment allows for the sending of annual registration notifications by electronic methods, such as email, to corporations whose email address is filed of record with the Corporations Division of the Secretary of State's Office.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED  
AMENDMENTS TO THE COMMISSIONER OF CORPORATIONS, RULE 590-7-4-.06  
ANNUAL REGISTRATION NOTIFICATIONS. AMENDED.**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

**590-7-4-.06 Annual Registration Notifications. Amended.**

- (1) **Form.** The Commissioner shall design the annual registration form with the depository. This form must be functional and contain specific filing instructions.
- (2) **MailingsDistribution.** The Commissioner or his agent shall prepare and ~~mails~~ send the annual registration notices to ~~the~~ registered corporations.
- (3) **Notification.** All active corporations on file with the Secretary of State will be sent an annual registration notification as soon as possible after January 1 of each year. Annual registration notices may be sent by mail or by electronic methods, such as email. Annual registration notices will not be forwarded to those corporations that have been dissolved, withdrawn or revoked.

Authority O.C.G.A. Secs. 14-2-130, 14-2-1622, 14-3-130, 14-3-1622, 14-5-23.

**SYNOPSIS OF THE PROPOSED RULE AMENDMENT TO THE COMMISSIONER OF  
CORPORATIONS, RULE 590-7-13-.06 ANNUAL REGISTRATION NOTIFICATIONS.  
AMENDED.**

Purpose: The purpose of the amendment is to allow a more efficient and economical means of sending annual registration notifications to active limited partnerships on file with the Office of the Secretary of State.

Main Features: The amendment allows for the sending of annual registration notifications by electronic methods, such as email, to limited partnerships whose email address is filed of record with the Corporations Division of the Secretary of State's Office.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED  
AMENDMENTS TO THE COMMISSIONER OF CORPORATIONS, RULE 590-7-13-.06  
ANNUAL REGISTRATION NOTIFICATIONS. AMENDED.**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

**590-7-13-.06 Annual Registration Notifications. Amended.**

(1) **Form.** The Secretary of State shall design the annual registration form with the depository. This form shall contain specific filing instructions.

(2) **~~Mailings~~Distribution.** The Secretary of State or his agent shall prepare and ~~mail~~ send the annual registration notices to ~~the~~ registered limited partnerships.

(3) **Notification.** All active limited partnerships will be sent an annual registration notification as soon as possible after January 1 of each year. Annual registration notices may be sent by mail or by electronic methods, such as email. Annual registration notices will not be forwarded to:

(a) ~~those~~ Those limited partnerships that have failed to file an annual registration for the past three years;

(b) ~~those~~ Those limited partnerships that have notified the Secretary of State that they are no longer in business or are inactive;

(c) ~~those~~ Those limited partnerships that fail to maintain a valid mailing address on file with the Secretary of State; and

(d) ~~those~~ Those limited partnerships that have been dissolved, withdrawn or cancelled.

Authority O.C.G.A. Secs. 14-9-206.5, 14-9-206.7, 14-9-1102 and 14-9-1103.